

## **EXHIBIT B**



**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE**

STATE OF MAINE, and PAUL MERCER, in  
his official capacity as Commissioner of the  
Maine Department of Environmental  
Protection,

Plaintiffs,

v.

ANDREW WHEELER, Acting Administrator,  
United States Environmental Protection  
Agency, *et al.*

Defendants and

PENOBSCOT NATION and  
HOULTON BAND OF MALISEET  
INDIANS,

Defendants-Intervenors.

Civil Action No. 1:14-cv-264 JDL

**DECLARATION OF HARALD PRINS**

Pursuant to 28 U.S.C. § 1746, I, Harald Prins, declare and state as follows:

1. I am a cultural anthropologist, ethnohistorian, and scholar. A copy of my curriculum vitae is attached hereto as Exhibit 1.
2. As a scholar, I have studied and published peer-reviewed articles on the Penobscot Indians (the Penobscot Nation) and am deeply familiar with their history and their subsistence and cultural practices in relation to the Penobscot River from the seventeenth century to the present.
3. In December, 2013, I provided expert opinions set out in a report filed in the matter of *Penobscot Nation v. Mills*, Civil Action No. 1:12-cv-254 at ECF 105-88 PageID# 3707-3812. A copy of the Summary of Opinions from that report is attached hereto as Exhibit 2.



4. From my anthropological work and historical research on the Penobscot Nation, I have learned the following, all of which I previously provided as part of my above-referenced expert opinions in the matter of *Penobscot Nation v. Mills*:

- (a) Penobscot cultural practices are inextricably intertwined with the taking of fish for sustenance from the Penobscot River.
- (b) Penobscot family names, *ntútem* (or “totems” in English), reflect the fish in the River: for example, *Neptune* (eel); *Sockalexis* (sturgeon), *Penewit* (yellow perch).
- (c) The Tribe’s principal island village variously called *Panawamskeag* or *Pem ta guaiusk took*, translated as “great or long River,” but known by non-Indians as “Indian Old Town” or “Indian Island,” is located just above a series of ledges and falls, historically the Tribe’s most prized fishing site.
- (d) Nichol’s rock, identified by the Penobscots as *Sobscook* (translated “Sea Rock”), marked the head of the tides, the place below which the Penobscot River was affected by the ebb and flood of the tides.
- (e) The Penobscots’ relinquishment of the uplands on both sides of the Penobscot River in their 1796 and 1818 treaties with Massachusetts did not change their subsistence way of life on the Penobscot River: they continued to use and occupy the River to take fish and other water-dwelling creatures in order to survive. The Penobscots would not have entered into these treaties if they had provided otherwise.

5. The statements set forth in the Summary of Opinions attached hereto as Exhibit 2 and in subparagraphs 4(a)-(e), above, are true and accurate, based upon established sources and methodologies in the fields of anthropology and ethnohistory.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 07/27/18

/s/ Harald Prins  
Harald Prins



## **Exhibit 1**



**CURRICULUM VITAE**  
**Dr. HARALD E. L. PRINS**

07/26/18

Wisbee Creek Point, 295 North Bath Road, Bath, Maine 04530, U.S.A.  
Phone/fax 207-386-0544 e-mail: [prins@ksu.edu](mailto:prins@ksu.edu) <http://www.ksu.edu/sasw/anthro/prins.htm>

**CURRENT POSITIONS**

University Distinguished Professor of Anthropology (Emeritus), *Kansas State University*

**RESEARCH INTERESTS**

Cultural Anthropology; Visual Anthropology, Ethnohistory; Political Ecology; Military History;  
Indigenous Peoples; North America (Northeast & Plains), South America (Pampa & Chaco).

**PREVIOUS POSITIONS**

University Distinguished Professor, Anthropology, *Kansas State University* ('05-'17).  
Graduate Faculty, KSU ('90-'17); Professor, American Ethnic Studies ('96-'17)  
University Distinguished Teaching Scholar, *Kansas State University* ('04-'17)  
Research Associate, National Museum of Natural History, *Smithsonian Institution* ('08-'11)  
Guest Professor of Social Anthropology, *Lund University*, Sweden (Spring '10)  
Principal Investigator, Indigenous History, Acadia National Park/National Park Service, ('03-'07)  
Co-Guest Curator, National Museum for Natural History, *Smithsonian*, Washington DC ('03-'07)  
President, *Society for Visual Anthropology* ('99-'01)  
Visual Anthropology Editor, *American Anthropologist* ('98-'02)  
Faculty Advisor, *Native American Student Body*, KSU ('95-'00)  
Faculty Advisor, American Indian Science & Engineering Society, KSU ('92-'95)  
Acting Director, American Ethnic Studies Program, KSU (Summer '95)  
Full Professor ('96-'05), Assoc. tenured Prof. ('94-'96); Ass't Prof. Anthropology, KSU ('90-'94)  
Visiting Lecturer in Anthropology, *Bowdoin College*, Maine ('86-'88, '90)  
Visiting Ass't Prof. of Anthropology, *Colby College*, ME ('88-'89)  
Adjunct Prof. of Anthropology, *University of Maine-Orono* (Fall '89)  
Visiting Prof., *Salt Institute for Documentary Field Studies*, Maine College of Art, Portland, Me (Summer '90)  
Film Project Director, Micmac Indian Artisans in Maine ('83-'85)  
Staff Anthropologist, *Aroostook Band of Micmac Indians* ('82-'90)  
Director of Research and Development, *Association of Aroostook Indians*, Maine ('81-'82)  
Assistant Professor of Comparative History, *Radboud University* (U Nijmegen), Netherlands ('76-'78)

**ACADEMIC DEGREES**

Ph.D., The Grad. Faculty of Pol. & Soc. Science, New School for Social Research, NY ('88).  
[thesis committee: Michael Harner, Rayna Rapp, Eric Wolf, Arthur Vidich]  
Doctorandus, University of Nijmegen, The Netherlands ('76); Doctoraal Scriptie: *Feodalisme: Een Begripsanalyse* ('76).

**ACADEMIC EDUCATION**

**Graduate Training:** The Graduate Faculty for Social and Political Science, The New School for Social Research, New York ('78-'80); University of Nijmegen, The Netherlands ('73-'76).  
with courses at: Columbia University ('78-'79); CUNY ('79-'80); Ctr. for Latin American Studies (CEDLA), U Amsterdam ('75); U Utrecht, Netherlands ('74)

**Undergraduate Training:**

U Nijmegen, Netherlands ('70-'72), with courses at: U Groningen, Netherlands ('70-'72)

**FILM TRAINING**

Advanced 16mm. Film Production, New School/Parsons School of Design, New York ('79-'80)



## RESEARCH:

### Ethnographic Fieldwork:

Mi'kmaq Indian Nation, Canadian Maritimes/Newfoundland/Maine, '81-'01.  
 Maliseet Tribe, Maine/New Brunswick, '81-'90.  
 Plains Apache Tribe of Oklahoma, '93-'95.  
 Gran Chaco & Mato Grosso tribes, South America; Ethnographic survey, '97, '07  
 Mapuche (Ranqueles), La Pampa, Argentina, '73, '80-81

### Ethnohistorical:

Wabanaki (Mi'kmaq, Maliseet, Penobscot, Passamaquoddy, Abenaki), '81-today

### Archaeological Excavations:

Tel Gezer, Canaanite Bronze Age City; Tel Anafa, Hellenistic Town, Israel, '70  
 Bergumermeer, Mesolithic site, northern Netherlands, '72.  
 Norridgewock, Proto-Historical Abenaki Indian village (site discoverer/surface surveyor), '83-'85

## EXPERT WITNESS:

U.S. District Court of Maine, (Penobscot Indian Nation vs. State of Maine et als.)  
 (riverine fishing & hunting rights, sovereignty & reservation boundaries)  
 Penobscot Indian Nation/U.S. Department of Justice, May '13-Dec. '15  
Supreme Court of Newfoundland, St. John's (Mi'kmaq Aboriginal Land Claims  
*Her Majesty vs. Dren*), Sept./Dec, 2000 (legal decision pending)  
Provincial Court, Gander, Nwfld (Mi'kmaq Aboriginal Fishing Rights), Feb. '99  
U.S. Senate: Congressional Hearings re.Aroostook Band of Micmac Indians Native Rights  
 Bill (S.1413 & H.R.3049), Washington DC 28-29 March, 1990  
 Native rights awarded Micmac Indians in Maine, 1991:  
 - Federal recognition of tribal status  
 - \$900,000 settlement to buy back tribal lands (5,000 acres)

## AWARDS & HONORS

Harald Prins & Bunny McBride Student Travel Scholarship, KSU ('16) (colleague-founded at retirement)  
 Kansas State University Academy of Fellows, Founding member ('13)  
 Leadership in History Award, American Association for State and Local History (Abbe Museum  
 exhibit "Indians & Rusticators" (co-curator). ('12).  
 Outstanding Faculty Honoree, Mortar Board National College Senior Honor Society, XIX Chapter  
 Kansas State University ('12)  
 Oxford University Press Award for Excellence in Undergraduate Teaching of Anthropology,  
 American Anthropological Association ('10)  
 Maine Writers & Publishers Association, Literary Award (Honorable Mention) for *Indians in Eden* ('10)  
 Professorial Performance Award, KSU ('08)  
 Carnegie Foundation for the Advancement of Teaching, Kansas Professor of the Year ('06)  
 New York Academy of Sciences, Associate (complimentary membership '06-'07)  
 Coffman Chair of Distinguished University Teaching Scholars, KSU ('04-'05)  
 John Culkin Award for Outstanding Praxis in the Field of Media Ecology ('04),  
 Media Ecology Association (for *Oh, What a Blow that Phantom Game Me*)  
 President, Society for Visual Anthropology ('99-'01)  
 Presidential Award for Outstanding Undergraduate Teaching, KSU '99  
 Margaret Mead Award Finalist, Society for Applied Anthropology/AAA ('92, '97)  
 Honorable Mention, Society for Visual Anthropology '96 (for *Wabanaki: A New Dawn*)  
 History Book Club, *American Beginnings* designated Alternate Selection of the Month, '95  
 Conoco Award (renamed "Presidential Award") for Outstanding Undergraduate Teaching, KSU '93  
 Indian Service Award, Aroostook Micmac Council, Presque Isle, Maine, '82  
 Fulbright-Hays Travel Grant '78-'79 (declined due to visa restrictions)  
 Vera List Fellow, Graduate Faculty for Political & Social Science, New School for Social Research,  
 New York City, '78-'79 (selected through Fulbright Center, Amsterdam)

## OTHER DISTINCTIONS

President, University Distinguished Professor Group, Kansas State U ('10-'11)



Outstanding Mentor, McNair Scholars Program, Kansas State U ('08).  
 K-State Basketball Professor of the Week, Dec 30 ('08)  
 International Review Committee member, *Nijmegen Institute for Social Cultural Research* (NISCO),  
 Radboud University Nijmegen, Netherlands ('06)  
 New York Academy of Sciences, Invited Lecture (UNESCO and Human Rights; 12/04/06)  
 Pi Beta Phi (K-State women's fraternity), "Outstanding Teacher" ('06).  
 Commencement Address, College of Arts & Sciences, KSU (12/09/05).  
 University Distinguished Teaching Scholar, Kansas State U (lifetime appointment since '04)  
 Dept of House & Dining Services, K-State, Recognition of "leadership in the classroom and  
 commitment to student success." May '03  
 Executive Board, *Society for Visual Anthropology* ('99-'02)  
 Distinguished Lecturer, 55<sup>th</sup> Anniversary Anthropology Institute, U Nijmegen, Netherlands ('03)  
 Keynote Speaker, Northeastern Anthropological Association Annual Mtngs, Burlington VT, ('03)  
 Keynote Speaker, High Plains Society for Applied Anthropology Conference ('02).  
 Distinguished Lecturer, U Maine-Presque Isle, ME ('02).  
 Football Professor of the Week, KSU/Wildcats, Manhattan, Fall ('02)  
 Chair in American Civilization, École des hautes études en sciences sociales, Paris (nominee, '01)  
 Jury: SVA Ethnographic Film & Video Festival, Santa Fe, NM ('98)  
 Program Organizer/Editor, Society for Visual Anthropology, San Francisco ('96)  
 International Observer, Presidential Elections in Paraguay, LASA, May ('93)  
 Jury: Baxter Award (annual), Maine Historical Society, Portland (Me) ('91-present)

#### **Biographical Inclusions:**

*Who's Who in America*. (64<sup>th</sup> edition [since '99])  
*Wikipedia, the Free Encyclopedia* (since '07)  
*Who's Who in Science and Engineering* (10th Anniversary Edition, since '07)  
*Who's Who in American Education*. (since '06)  
*Who's Who in Social Sciences Higher Education*. (since '04)  
*Who's Who Among America's Teachers*. (since '96)  
*Who's Who in the Midwest*. (since '98)  
*Contemporary Authors*. (since '98)  
*Directory of American Scholars*.  
*Reference Encyclopedia of the American Indian*. (since '93)

#### **FELLOWSHIPS, RESEARCH FUNDING & TRAVEL GRANTS**

The Metropolitan Museum of Art '17; University of Mississippi '17; Penobscot Indian Nation [U.S.  
 Dept. of Interior/Dept. of Justice: '13-'15; Wenner-Gren Foundation for Anthropological  
 Research '14, '15, '16; Smithsonian Institution '02-'06; U.S. National Park Service '03-'07, '09, '14;  
 Canada's Social Sciences and Humanities Research Council (SSHRC) '08; U Toronto '11; University  
 of Lund, Sweden '10; McCormick Tribune Foundation/First Division Museum '07; UNESCO '05;  
 Swiss Development Corporation '04; New York State Dept. of Education '88; US Bureau of Indian  
 Affairs '97; National Endowment for the Humanities ('89); Vera G. List Fellowship ('78-'79);  
 Fulbright-Hays ('78, declined); New School for Social Research ('79-'80, '85);  
 Parsons School of Design ('79); Criterion Foundation ('80), National Indian Lutheran Board ('82);  
 U.S. Dept. of Health & Human Services (Admin. for Native Americans)  
 ('82-'90); Vera List Foundation, NYC ('83), Maine Humanities Council ('84, '85, '07); Maine  
 Arts Commission ('85); National Endowment for the Humanities Summer Fellow ('89);  
 Bowdoin College ('87); Colby College ('89); Penobscot Indian Nation ('97); Rock Foundation,  
 NYC ('01, '08-'11); Miawpukek Heritage Fund (Newfoundland, Canada) ('98, '99); Kansas  
 Humanities Council ('93); Kansas State University (Summer Fellow '91, Inst. for Social and  
 Behavioral Research, 6 USRG & President's Faculty Development Awards -'92-'09); &c

#### **COURSES TAUGHT**

Introduction to Cultural Anthropology; Anthropological Theory; Research Methods;



Comparative History Fourth World; Indigenous Peoples of Latin America;  
South American Indians; North American Indians (Ethnohistory); Visual Anthropology  
(Ethnographic Film); Anthropology of Religion/Shamanism; Maine Material Culture

## PUBLICATIONS

### BOOKS/EDITED VOLUMES

- Cultural Anthropology: The Human Challenge.*** (multiple revised editions- most recent 15<sup>th</sup> ; leading co-author with W. Haviland et al). Belmont, CA: Wadsworth Publishers/Cengage, '17
- The Essence of Anthropology*** (multiple revised editions – most recent 4<sup>th</sup>; 2<sup>nd</sup> author with W. Haviland et al). Belmont, CA: Wadsworth Publishers, '15.
- Evolution and Prehistory: The Human Challenge,*** (10<sup>th</sup> edition; 3<sup>rd</sup> author, with W. Haviland et al), Belmont, CA: Wadsworth Publishers, '13.
- Anthropology: The Human Challenge,*** (multiple revised editions – most recent 15<sup>th</sup>; leading co-author with W. Haviland et al . Belmont, CA: Wadsworth Publishers, '17.
- Princípios de Antropologia.*** (Portuguese translation by E Paes e Lima). Sao Paulo, Brazil: Cengage Learning Learning Edições, Ltda '(11) (co-authored with Haviland et al)
- Indians in Eden: Wabanakis and Rusticators on Maine's Mount Desert Island: 1840s-1920s.*** Camden: Down East Books. (co-author, with B. McBride, '09)
- Asticou's Island Domain: Wabanaki Peoples at Mount Desert Island: 1500-2000,*** (2 vols.). Washington, D.C.: National Park Service, US Dept. of Interior, '07. (with B. McBride.)  
Electronic version on NPS website: [www.nps.gov/acad/historyculture/ethnography.htm](http://www.nps.gov/acad/historyculture/ethnography.htm)  
[https://www.nps.gov/parkhistory/online\\_books/acad/wabanaki\\_peoples\\_vol1.pdf](https://www.nps.gov/parkhistory/online_books/acad/wabanaki_peoples_vol1.pdf)  
[https://www.nps.gov/parkhistory/online\\_books/acad/wabanaki\\_peoples\\_vol2.pdf](https://www.nps.gov/parkhistory/online_books/acad/wabanaki_peoples_vol2.pdf)
- Cultural Anthropology.*** India Edition. New Delhi, India: Cengage Learning India (1<sup>st</sup> edition, '09 2<sup>nd</sup> author with W. Haviland et al).
- Introduction to Anthropology.*** India Edition. New Delhi, India: Cengage Learning India. (1<sup>st</sup> edition, '08 2<sup>nd</sup> author with W. Haviland et al)
- Kültürel Antropoloji*** (2<sup>nd</sup> author, with W. Haviland et. al.) Istanbul, Turkey: Hermes Kaknus Publications, '08. (Turkish translated edition of the Cultural Anthropology textbook)
- Cultural Anthropology: The Human Challenge.*** (12<sup>th</sup> edition; 2<sup>nd</sup> author with W. Haviland et al). Belmont, CA: Wadsworth Publishers, '07.
- Evolution and Prehistory: The Human Challenge,*** (8<sup>th</sup> edition; 3<sup>rd</sup> author, with W. Haviland et al), Belmont, CA: Wadsworth Publishers, '07.
- Anthropology: The Human Challenge,*** (11<sup>th</sup> edition; 2<sup>nd</sup> author, with W. Haviland et al). Belmont, CA: Wadsworth Publishers, '07.
- The Origins of Visual Anthropology: North American Contributions.*** *Visual Anthropology Review* (17 (2) 2001. Special Guest-Edited Issue (with Jay Ruby).
- Maine History*** 37 (3), '98. Issue in Honor of Frank Siebert, Guest edited with Willard Walker).
- The Mi'kmaq: Resistance, Accommodation, and Cultural Survival,*** Fort Worth (&c.): Harcourt Brace, '96. (*Case Studies in Anthropology* series)
- American Beginnings: Exploration, Culture, and Cartography in the Land of Norumbega.*** Co-editor with E. Baker et. al., Lincoln: University of Nebraska Press, '94.
- Tribulations of a Border Tribe: A Discourse on the Political Ecology of the Aroostook Band of Micmacs (16th-20th Centuries).*** Ann Arbor: UMI '89. [Doct. Dissertation].

### IN PREPARATION:

***From Indian Island to Omaha Beach: The Story of Charles Shay, Penobscot Indian War Hero.*** Lincoln: U Nebraska Press (1<sup>st</sup> author, with B. McBride, expected publication 2019.)

### MUSEUM EXHIBITIONS

***Irving Penn Centennial,*** Metropolitan Museum of Art, New York 2017; Grand Palais, Paris; C/O Berlin, Germany; Instituto Moreira Salle, Sao Paulo, Brazil '18 [catalog contributor]



***Indians & Rusticators: Wabanakis and Summer Visitors at Mount Desert Island 1840s-1920s.*** Abbe Museum for Stone Age Antiquities, Bar Harbor, Maine  
(Guest curator with B. McBride; national award-winning “blockbuster” exhibit ‘11-‘13)  
<http://mdi.mainememory.net/page/3708/display.html>  
<http://www.ellsworthamerican.com/living/living-entertainment/exhibit-evokes-gilded-age-dichotomy>

***Alfred Métraux, From Fieldwork to Human Rights: Itinerary of a 20<sup>th</sup>-Century Ethnographer.*** Washington DC: National Museum for Natural History, Smithsonian Institution [co-curator, ’03-’07 – canceled due to budget crisis and funding problems].

## DOCUMENTARY FILMS

***A Day to Remember***, Maine Experience, MPBS (’08) (camera, concluding footage in Normandy). New England Emmy for Historical/Cultural Program/Special, 2008.

***Among Xavante Friends: A Tribute to David Maybury-Lewis*** (’08) (with A. Bohannon & J. Stone). (Video/DVD, 22 mins., first screened at Pitt-Rivers Museum, Oxford U, June 19, 2008. Annual Meetings of the AAA, San Francisco, Nov.29, ’09.

***Oh, What a Blow that Phantom Gave Me! Edmund Carpenter*** (’03). (John Culkins Award for Outstanding Media Practice, Media Ecology Association; with J. Bishop) 55-mins. (VHS Video & DVD Formats). Produced by Media Generation, West Hills, CA., Distributor: D.E.R. (Watertown, MA).

***Wabanaki: A New Dawn*** (’95) (Project initiator & key scholar). Dirs.D. Westphal & D. Kostyk, Produced by the Maine Indian Tribe-State Committee. Distributor: Northeast Historic Film (Bucksport, ME) (SVA 1996 Honorable Mention).

***Kickapoo Dreamer***. (28 min). video Project Dir. Harald Prins [with Bruce Broce] (Kansas Humanities Council ’94 (project aborted and \$14,533 returned)

***Ka-ta-ka: Plains Apaches of Oklahoma*** (’94) (Director & cameraman, with Chad Buehler)

***Our Lives in Our Hands*** (’85). (Co-prod. with K. Carter). A 50-minute, 16 mm. color film on Micmac Indian artisans & farm workers in Maine (Also in VHS & DVD formats). Distributors: D.E.R. (Watertown, MA), Northeast Historical Film (Bucksport, ME). Videostreaming on Folkstreams website: <http://www.folkstreams.net/film,94>

## JOURNAL ARTICLES & BOOK CHAPTERS

“Guerrieri indiani d'America nella liberazione dell'Europa, *Rivista Teepee, Soconas Incomindios*, ’19 (invited article, in prep.)

"Wolf, Eric." *International Encyclopedia of Anthropology*. Ed. by Hilary Callan (1500-word entry, solicited by the editors). Hoboken, N.J.: Wiley-Blackwell. ’18.

“Ethnographic Portraits, 1967-71.” Pp. 212-219, 366-367. *Irving Penn: Centennial*. Edited by Maria. M. Hambourg. New York: Metropolitan Museum of Art/Yale U Press. ’17

“Portraits ethnographiques, 1967-1971.” Pp.211-17, 366-367. *Irving Penn : Le centenaire*. Paris: Les éditions Rmn-Grand Palais. ’17

“Ethnographische Portraits, 1967-1971. Pp. 211-17, 365-66. Munich: Schirmer/Mosel Verlag ’18.

“Retratos Etnográficos, 1967-1971. Pp. Xxx-xyz. Sao Paulo, Brazil ’18.

“The Turtle Honors Extraordinary Sacrifice of Indian Warriors on D-Day,” Digital Magazine *Indian Country Today*. 12 July ’17. (1<sup>st</sup> author, with B. McBride).  
<https://indiancountrymedianetwork.com/news/veterans/turtle-honors-extraordinary-sacrifice-indian-warriors-d-day/>

"Trumpets at a Kansas Parade." *Hot Spots, Cultural Anthropology website*, January 18, 2017.  
<https://culanth.org/fieldsights/1041-trumpets-at-a-kansas-parade>

“A Co-Existence of Contraries: Carpenter & McLuhan as Totemic Twins. In *McLuhan 100: Then|Now|Next*. Ed. Dominique Scheffel-Dunand. U Toronto Press (submitted)

Trumpets at a Kansas Parade.” Hot Spots, Cultural Anthropology website, January 18, 2017.  
<https://culanth.org/fieldsights/1041-trumpets-at-a-kansas-parade>

“Upside Down: Arctic Realities & Indigenous Art.” Review Essay. *American Anthropologist* Vol. 114 (2):359-64. (1<sup>st</sup> author, with B. McBride).



- "From Reservation to Globalization: 20th-Century Native Americans in the Military."  
Webinar. Cengage Learning, Belmont, CA., April 26, 2012.  
<https://cengage.webex.com/cengage/ldr.php?AT=pb&SP=MC&rID=58885032&rKey=426661690fe56622>
- "Edmund Carpenter. *Tribal Art Magazine*, Winter Issue. 2011.
- "Edmund Carpenter. Obituary. *Anthropology News*, Vol.52 (9), p.24. Dec. 2011.
- "Comment: Krech, S. "The Nature and Culture of Birds," *On the Human: A Project of the National Humanities Center* (April 2011). G. Comstock, P. Barron, P. Shipton, S. Haslanger (eds.)  
URL=<http://onthehuman.org/2011/03/nature-and-culture-of-birds/comment-page-1/#comment-5599>
- "Asticou's Fjord or Somes Sound?: Mythistory of Wabanaki Dispossession." In *Chebacco: The Magazine of Mount Desert Island Historical Society* Vol.XII: 41-61. [1<sup>st</sup> author, with B. McBride]  
[http://mdihistory.org/wp-content/uploads/2011-Asticous-Fjord-or-Somes-Sound\\_ocr.pdf](http://mdihistory.org/wp-content/uploads/2011-Asticous-Fjord-or-Somes-Sound_ocr.pdf)
- "Foreword." C.N. Shay, *Diary of an Omaha Beach Veteran*. Solon (Me): Polar Bear Press '11 pp.1-2. (with B. McBride.)
- "Eric R. Wolf." Pp.260-66. In *Fifty Key Anthropologists*, eds. R. Gordon, H. Lyons, A. Lyons. London: Routledge, '10.
- "Cherokee Chief Opens Highland Games in Scotland." News feature in: *Indian Country Today*. Oct 6, 2010 (front page)  
<http://www.indiancountrytoday.com/global/Cherokee-chief-opens-Highland-Games-in-Scotland-104162228.html>
- "The Atlatl as Combat Weapon in 17<sup>th</sup>-Century Amazonia: Tapuya Indian Warriors in Dutch Colonial Brazil." *The Atlatl* Vol.23(2):1-3 (June 2010)  
<http://waa.basketmakeratlatl.com/wp-content/uploads/2013/02/Tapuya-Atlatl-Article-by-Harald-Prins-25-May-2010.pdf>
- "Beyond Wolf: Structural Power in the Globalscape." In: "Ten years after: the legacy of Eric R. Wolf." Presidential Session/AAA Executive Program Committee. 108<sup>th</sup> Annual Meetings of the American Anthropological Association. AAA Blog  
<http://blog.aaanet.org/2010/06/23/annual-meeting-video-the-legacy-of-eric-r-wolf/>
- "The Indian Encampment." Feature article in *Down East: The Magazine of Maine*. Vol.56(10): 100-102 (May 2010) [with B. McBride; edited excerpt from book *Indians in Eden*]
- "Tribal Tourism." *Portland Monthly*, July/August 2010, pp.57-59. [with B. McBride]
- "Charles Norman Shay." Bio sketch on Penobscot Indian Nation Website *Penobscot: Culture & History of the Nation*. (with B. McBride).  
[http://www.penobscotculture.com/index.php?option=com\\_content&view=article&id=201&Itemid=72](http://www.penobscotculture.com/index.php?option=com_content&view=article&id=201&Itemid=72)
- "Messamouet." Mi'kmaw Biography Project. Social Sciences & Humanities Research Council, Canada (in prep)
- "Willard Walker." Obituary. *Anthropology News* Vol. 51 (4), p.31. (April 2010). (with J. Sarbaugh)
- "Discussion: Lévi-Strauss aujourd'hui." *Journal de la société des américanistes* Vol.94 ('08), No.2, Pp.21-22. (& others in 'Tribute to Claude Lévi-Strauss' at Quai Branly museum.)  
<<http://jsa.revues.org/index10554.html>>
- "Donald Sanipass." Mi'kmaw Biography Project. Social Sciences & Humanities Research Council, Canada (2<sup>nd</sup> author, with B. McBride)
- "Pioneer in Brazilian Ethnography & Indigenous Rights Advocacy: David Maybury-Lewis (1929-2007)." *Tipiti: Journal of the Society for the Anthropology of Lowland South America*. Vol.6 (2008), No.1-2, pp.115-22. Invited Essay. 1<sup>st</sup> author, with L. Graham.  
<http://digitalcommons.trinity.edu/cgi/viewcontent.cgi?article=1087&context=tipiti>
- "Alfred Métraux, Richard Wright and the History of the Civil Rights Movement: A Multi-Platform Education Project. (2 p. brochure). Washington DC: NMNH, Smithsonian, '08.
- "Edmund Carpenter." Biography for *The Media Ecologists* (Media Ecology Association website)
- "Acadia National Park: Asticou's Island Domain." Pp.31-33. In *American Indian Place Names: A Historic Guidebook*. (F. H. Kennedy, ed.) Boston: Houghton Mifflin ('08) (2<sup>nd</sup> author, with B. McBride)
- "From Indian Island to Omaha Beach: A Penobscot Combat Veteran's Pilgrimage."  
*Indian Country Today*, Vol. 27, No.22, pp.1, 5. (7 Nov '07) (1<sup>st</sup> author, with B. McBride)
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- Our Sacred Land, [C. Spotted Eagle.] American Anthropologist 90 (3), 1988: 775-776
- Incident at Restigouche, [A. Obomsawin] American Anthropologist 90 (3), 1988: 776
- Nations within a Nation: Sovereignty and Native American Communities, dir. D.N. Brown & M. Ringwald, American Anthropologist 90 (3), 1988: 776-777.
- Home of the Brave, dir. H. Solberg Ladd, American Anthropologist 90 (3), 1988: 777.
- Contrary Warriors, A Film of the Crow Tribe, dir. C. Poten, et al., American Anthropologist 90 (3), 1988: 777-778.
- "The Indian as Dream and Anxiety," [T.Lemaire]. European Review of Native American Studies, Issue 2:1 (1988): 59-61.
- A Key into the Language of Woodsplint Baskets edited by A. McMullen & R. Handsman]. Pennsylvania Archaeologist, vol. 58 (2), 1988: 70-72.

## CONFERENCE PAPERS, INVITED LECTURES & FILM SHOWINGS

2018

- "The Ardennes as 'Indian Country': Native American warriors in the Battle of the Bulge 1944-45." Paper presented at the 39<sup>th</sup> Annual American Indian Workshop, University of Ghent, Belgium, 13 April.



**2017**

- “Wabanaki Tribesmen in the Liberation of France.” Keynote Speaker. 3<sup>rd</sup> Annual Bastille Day Lecture Series, Castine Historical Society, Maine, 14 July.
- “Perspectives on Ephemerality and Preservation: From Language to Digital Media, Communities to Institutions.” 116<sup>th</sup> Annual Meeting of the AAA, Washington DC. (Discussant)

**2016**

- “A Native American Contribution to the Formation of the Atlantic Hemisphere.” Session: Early Atlantic Cultures. 15<sup>th</sup> Annual Transatlantic Conference, Plymouth University, United Kingdom, 4 July.

**2014**

- “Marketing Tribal Crafts & Refashioning Indigenous Identity: Wabanaki Adaptation to the Early Tourist Economy of Seacoast Maine. Paper in special session “Native North America and Tourism”. 35<sup>th</sup> AIW, National Museum of Ethnology. Leiden, Netherlands, 21-25 May.

**2013**

- “Wenken naar Winnetou: Paradox van het Primitivisme in Visuele Media.” Invited Lecture. Museum Exhibit *Indianen. Kunst en Cultuur tussen Mythe en Realiteit*. De Nieuwe Kerk, Amsterdam, The Netherlands, 5 January 2013.

**2012**

- “From Omaha Beach to Pacific Atoll: A Penobscot Tribesman in the Global Theater.” Crossing borders ». Séminaire de centre de recherche. Laboratoire d’anthropologie sociale/Centre d’études nord-américaines. L’École des hautes études en sciences sociales (EHES), Paris, France, 21 March.
- “The Right Format – The Carpenter Memorial Round Table,” Invited panelist at the “Arctic/Inuit/Connections - Learning from the Top of the World.” 18th Inuit Studies Conference, Smithsonian National Museum of Natural History, Washington DC, Oct. 24-28, 2012.
- “Media Studies & Arctic Anthropology in the Cold War: Edmund Carpenter in the Toronto School of Communication.” Paper to be presented at Canadian Communication Association annual conference. Waterloo, Ontario, Canada, 30 May - 1 June.
- “The Mysterious Penobscot Belle: Early Photography and a Forgotten Wabanaki Encampment in Portland (1830s-1860s). Invited Lecture (with B McBride). Maine Historical Society, Portland, May 24.
- “Remembering Two Astronauts of the Human Soul: Steve Rubenstein and Neil Whitehead.” 111th Annual Meeting of the AAA, San Francisco, November 18, 2012. (Discussant)

**2011**

- “Carpenter & McLuhan: A Co-Existence of contraries.” Invited paper presented at the Plenary Session “Explorations 1951-1957: Reflections Upon the Explorations Seminar and Journal.” International conference *McLuhan 100: Then|Now|Next*. U Toronto, Canada, Nov. 7-10.
- “Reflections on *Oh, What a Blow that Phantom gave Me!* Presented at Memorial & Celebration: Edmund S. Carpenter (1922-2011). American Museum of Natural History, New York City, 29 October, 2011.
- “Oh, What a Blow that Phantom Gave Me!” Public screening at New Guinea exhibit “Ancestors of the Lake,” The Menil Museum, Houston, Texas, 19 April.

**2010**

- “Passamaquoddy Indian Code Talkers in the World War: Historic Fact or Echo of an Imaginary Past? Paper presented at the 109<sup>th</sup> Annual Meetings of the American Anthropological Association, New Orleans, 21 Nov.
- “Warriors from Turtle Island Invade German-Occupied Normandy.” Paper presented at the 31<sup>st</sup> American Indian Workshop: “Transformation, Translation, Transgression: Native American Culture in Contact and Context.” Charles University. Prague, 26 March.
- “Exploring Structural Power.” Research Seminar, Institute for Sociology, Social-Anthropology, and Pedagogy, University of Lund, Sweden, 16 March.



"The Court of Law as Political Arena in the Human Rights Struggle of American Indians."  
Invited Lecture, Historical Studies Research Seminar, Malmö University, Sweden, 17 March

## 2009

"Indigenous Art as Political Capital." Invited Lecture. "Indigenous Art as Political Capital : The Mi'kmaq as Case Study." Invited Lecture, Histoire et anthropologie des sociétés nord-amérindiennes (États-Unis et Canada). Les arts visuels amérindiens en question. l'École Pratique des Hautes Études/Sorbonne. Paris, 18 March.

"Beyond Wolf: Structural Power in the Globalscape." In: "Ten years after: the legacy of Eric R. Wolf." Presidential Session/AAA Executive Program Committee. 108<sup>th</sup> Annual Meetings of the American Anthropological Association, Philadelphia, 3 Dec.

<http://blog.aaanet.org/2010/06/23/annual-meeting-video-the-legacy-of-eric-r-wolf/>

"Consciousness, Agency and Authenticity in Shamanic Identity and Ritual in South America: Expanding the Range of the Sound of Rushing Water." Invited Session. Discussant. 108<sup>th</sup> Annual Meetings, American Anthropological Association, Philadelphia, 5 Dec.

## 2008

"Anthropologists and Unesco's Hylea Amazon Project, 1946-1952. SALSA Conference, Maison Française, Oxford University, 18 June.

"Among Xavante Friends: A Tribute to David Maybury-Lewis." Film premiere at Pitt-Rivers Museum, Oxford University, UK, June 19, '08. (1<sup>st</sup> Author, with A. Bohannon & J. Stone). Also at 107<sup>th</sup> Annual Mtng, American Anthropological Association, San Francisco, 21 Nov.

"The 60<sup>th</sup> Anniversary of the Universal Declaration of Human Rights: Anthropology, Politics, History." Session discussant. 107<sup>th</sup> Annual Mtng, American Anthropological Association, San Francisco, 23 Nov.

## 2006

"Human Rights Anthropology in the Cold War," Invited Lecture, New York Academy of Sciences, New York City, Dec. 4

## 2005

"Early Cameras in Salvage Ethnography and Cultural Revitalization." Paper presented in SVA invited session. American Anthropological Association, 104<sup>th</sup> Annual Meeting, Washington DC, Dec. 1

"The Anthropology of Visual Communication Now: Studies in Honor of Jay Ruby." Chair, SVA Invited session. American Anthropological Association, 104<sup>th</sup> Annual Meeting, Washington DC., Dec. 1

"Toward a Land without Evil: Alfred Métraux as UNESCO Anthropologist 1948-1962." Panel: "The Vision: Fostering Humanism and Peace." UNESCO 60<sup>th</sup> Anniversary symposium. Paris. 11/16/2005. (Co-organized by U of Paris & Cambridge U)  
[http://portal.unesco.org/en/ev.php-URL\\_ID=30431&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=30431&URL_DO=DO_TOPIC&URL_SECTION=201.html)

"Edmund Carpenter Symposium," 6<sup>th</sup> Annual Convention of the Media Ecology Association, Lincoln Center, Fordham U, New York, June 25.

"Anthropology of the Global Mediascape." Provost Lecture, Kansas State U, April 25

"Oh, What a Blow that Phantom Gave Me!" was selected for screening at Le Festival Interuniversitaire de Films Ethnographiques de Montréal, January 30, 2005.  
Documentary Film and Edmund Carpenter; screening/discussion "Oh, What a Blow that Phantom Gave Me!" Cultural Studies Visual Culture: Image, Icon, Ideology. Fourth Annual KSU Cultural Studies Conference, Plenary Session, March 11, 2005 (with Michael Wesch). Film also featured on University of California Television, The Educational Channel, Feb. 4

## 2004

"From Fieldwork to Human Rights." Powerpoint presentation (with A. Krebs & S. Fee) National Museum of Natural History, Washington DC, June 29, 2004

"Edmund Carpenter: Maverick Anthropologist and Media Ecology Pioneer." The 5<sup>th</sup> Annual Convention of the Media Ecology Association. Rochester Institute of Technology, Rochester, N.Y., June 12.



- "Oh, What a Blow that Phantom Gave Me!" (Film with John Bishop), Competitive Screening at IWF International Festival of Ethnographic Film, Göttingen, Germany, May 20.
- "Josefa and the Omelet: Challenges in Cross-Cultural Communication." Paper presented at the Mid-American Chapter of American Translators Association (MICATA) Symposium on Translation and Interpretation, Manhattan, April.

## 2003

- "In Search of Winnetou: Karl May's Adventure Stories and the Dialectics of Primitivist Nostalgia," Field Museum, Chicago, Nov. 21
- "Committed Anthropology," Distinguished Lecture, U. Nijmegen, Netherlands, Oct. 4
- "Oh, What a Blow that Phantom Gave Me! (Film with John Bishop), Competitive Screening at 8<sup>th</sup> Royal Anthropological Institute's International Festival of Ethnographic Film. University of Durham, UK, July 5.
- Ibid. Film Screening at 14<sup>th</sup> Beeld voor Beeld Ethnographic Film Festival, Royal Institute for the Tropics, Amsterdam, The Netherlands. June 6
- Ibid. Special Featured Screening, 4<sup>th</sup> Media Ecology Association Annual Conference, Hofstra U, USA, June 6.
- Ibid. Special Featured Screening, Taipei, Taiwan / [影展] 2003年02月台灣國際民族誌影展 (10/02-10/07) 夢幻驚天第一擊! (義/紀錄) 約翰比索普, 哈洛普林斯
- Ibid. Special Featured Screening, Radboud U, Nijmegen, Netherlands
- Ibid. Selected Screening, American Anthropological Association, 102<sup>nd</sup> Annual Meeting, Chicago. Nov. 22
- Ibid. Selected screening, 7<sup>th</sup> Documentary and Ethnographic Film Festival of Belo Horizonte, Nov. 28.
- Invited panelist, "Visual Culture: A Future for the Anthropology of Visual Communication Conference," Dept. of Film and Video, Columbia College, Chicago, Nov. 22.
- "Wabanaki Confederacy: A Historical Perspective," Seventh District Congress Meeting, 10<sup>th</sup> Annual Wabanaki Confederacy Conference, Listuguj First Nation, Restigouche, Quebec, July 29-30.
- "Phantom Anthropology: Structural Power and Visual Media." Keynote Lecture, Northeastern Anthropological Ass'n annual meetings, U Vermont, Burlington, 03/21

## 2002

- "The Ethnographer's Discipline: Alfred Metraux (1902-1963)." Discussant, AAA Presidential Session, AAA, New Orleans, Nov. 20, 2002.
- "Tarzan was an Ecotourist...and Other Reflections on the Anthropology of Adventure." Discussant, AAA, New Orleans, LA. Nov. 22, 2002
- "Visuality in Indian Country: From Salvage Ethnography to Action Anthropology." Keynote Lecture, High Plains Society for Applied Anthropology Annual Conference, Estes, Colorado, April 20.
- "Borderline Reflections: American Patriotism & the Quest for Maine Indian Rights." Distinguished Lecture, University of Maine, Presque Isle, ME, January 25.

## 2001

- "Other Media/Other Histories: Extending the Rafters in Visual Anthropology." Organizer Invited Session (with J. Himpele), AAA, Washington DC
- "Visual Performatives in Cyberia: Traditional Iconography and Tribal Identity Politics on the Internet." Invited Paper presented at the AAA Presidential Session "The Work of Anthropology in a Century of Media," Washington DC, Nov.
- "On the Problem of Interpreting Anglo-Wabanaki Diplomatic History: Native Rights & the Dummer Treaty (1725). 33<sup>rd</sup> Algonquian Conference. U California-Berkeley, Oct. 28.
- "Edmund Carpenter on the Culture of Illusion: The Tribal Terror of Self-Awareness" (with John Bishop), Film/Paper. 17<sup>th</sup> Annual Visual Research Conference, Smithsonian Institution, Washington DC, Nov.
- "Edmund Carpenter: Explorer & Witness in the History of Visual Anthropology." Invited



- Paper, IWF Visual Anthropology Conference, Max Planck Institute, Goettingen, Germany, June 21
- "Let Me Tell You A Story: Edmund Carpenter as Visual Anthropology Pioneer." Presentation & Discussion of Documentary Film. Premiere IWF Visual Anthropology Conference, Max Planck Institute, Goettingen, Germany, June 21.
- "Development of Methods: Looking for an Indigenous View." Invited Panel Discussant at the IWF Visual Anthropology Conference, Max Planck Institute, Goettingen, Germany, June 23,
- 2000**
- "Reflecting and Remembering Visual Anthropology: The East Hampton Jamboree," 16<sup>th</sup> Visual Research Conference. San Francisco, Nov.16
- "Anthropology & History: International Symposium (in honor of Anton Blok," Invited Participant, University of Amsterdam, The Netherlands, June 8-9, 2000.
- "The Politics of Archaeology." Colloquium Presentation, University of Massachusetts -Amherst, Sept. 18, 2000.
- 1999**
- "Apaches, Anthropologists, and the Repatriation of Anthropological Knowledge," Paper read the 98<sup>th</sup> Annual Meetings of the American Anthropological Ass'n. Chicago, Nov. 17.
- "A Diamond In His Shoulder: Remembering Eric Wolf (1923-1999). Special Session sponsored by the American Ethnological Society. AAA Annual Meetings, Chicago, 19 Nov.
- "In the Trickster's Web: American Indians and the Politics of Visual Representation." Public Lecture, Fleming Museum, Burlington, Nov.4.
- "On the Origins of the Wabanaki Confederacy." Abenaki Conference, Burlington: University of Vermont, October 3-5.
- "Stormclouds over Wabanakiak: The Wabanaki Confederacy until Dummer's Treaty (1727)." Invited Paper, the Atlantic Policy Congress of First Nations Chiefs, Halifax, NS., March
- 1998**
- "Visual Anthropology at Temple." Invited Session Discussant. 97<sup>th</sup> Annual Meeting of the American Anthropological Association. Philadelphia, Dec.2
- "Sympathetic Reflections on 'Tristes Tropiques': With/out Levi-Strauss back to the Bororo and Nambikwara of southern Brazil." 75<sup>th</sup> Annual Meeting of the Central States Anthropological Society, Kansas City, April 4
- 1997**
- "Morality, Justice, and the politics of Mi'kmaq History," Mi'kmaewey: An International-Intertribal Conference. University College of Cape Breton. Sidney (NS), Canada, Oct.1
- 1996**
- "Beyond Representation: Visual Anthropology in the Fourth World." SVA Invited Double Session, 95<sup>th</sup> Annual Meetings of the American Anthropological Association, San Francisco, 11/20-24 (Chair & Co-Organizer with Faye Ginsburg).
- "*We Fight With Dignity*: Miawpukek's Quest for Netuklemk, Newfoundland." 28th Algonquian Conference, University of Toronto, Toronto, Canada, October 25.
- "Cross-Border Tribes on the Justice Frontier." American Ethnological Society Annual Meeting. San Juan, Puerto Rico, April 20, 1996.
- "Nations Across Borders." Chair, American Ethnological Society Annual Meeting. San Juan, Puerto Rico, April 20.
- 1995**
- "Cultural Resistance: The Paradox of Saint Anne." 94th Annual Meeting of the American Anthropological Association. Washington DC, November 16.
- 1994**
- "Indigenous Advocacy in the Electronic Domain: Documentary Film and Human Rights." 93rd Annual Meeting of the American Anthropological Association. Atlanta, December 1.
- "Tradition Against Law: Neotraditionalism as Cultural Resistance in Indian Country."



Central States Anthropological Association, Kansas City, MO, March 19.

#### 1993

- "Sweatlodge and Sundance among the Micmac Today. A Case Study in Neotraditionalism." 25e Congres des Algonquistes. Montreal (Quebec), Canada, October 30.
- "Ethnocinematic Self-Fashioning as Cultural Process." Invited paper, 92nd Annual Meeting of the American Anthropological Association, Washington, D.C., 19 Nov.
- "Chief Rawandagon alias Robin Hood." Annual Meeting of the Northeastern Anthropological Association. Danbury CT, 27 March.

#### 1992

- "Another Look at Ethnography and Ethnology on the Plains." Discussant. 67th Annual Meeting of the Central States Anthropological Society, Iowa State University, Ames, 22 March.
- "The Ranqueles of the Pampas: A Frontier Tribe in 19th-Century Argentina." Annual Meeting of the American Society for Ethnohistory. Salt Lake City, NV., 13 Nov.
- "Bwana Piccer: Martin Johnson as Ethnographic Film Pioneer." Invited Paper, 91st Annual Meeting of the American Anthropological Association. San Francisco, Ca., 3 Dec.

#### 1991

- "Micmac Indians in Maine: Stoop Labor in Potato Paradise." Invited paper, 90th Annual Meeting of the American Anthropological Association. Chicago, Ill., 21 Nov.
- "Indians of the Plains." Panel Discussant. Annual Meeting of the American Society for Ethnohistory. Tulsa, OK., 9 Nov.
- "Public Performance and Ethnic Identity: Chief Big Thunder and the Peddling of Native American Culture." Annual Meeting of the American Society for Ethnohistory. Tulsa.
- "Another look at the Ethnography of the Plains." Panel Discussant. 67th Annual Meetings of the Central States Anthropological Society. Iowa State University. Ames, 22 March.

#### 1990

- "Destinging the WASP: Alleviating Cultural Dominance through Anthropological Discourse." I  
Invited paper for session organized by the National Endowment for the Humanities, 89th Annual Meeting of the American Anthropological Association, New Orleans, La.

#### 1989

- "Wabanaki Algonquian Ethnohistory since Eckstorm: Dawnland Dialectics." (& A Morrison) 8th Annual Meeting of the American Anthropological Association, Washington, DC.
- "Enigmatic Tribes in Wabanakia: Ethnic Identity in the Struggle for Cultural Survival," Annual Conference of the American Society for Ethnohistory, Newberry Library, Chicago, Ill., 3 Nov.
- "Natives and Newcomers -- Mount Desert Island in the Age of Exploration. Abbe Museum of Stone Age Antiquities. Bar Harbor, Me., 21 May.
- "Documentary Film as Ethnographic Record and Advocacy." Eyes Across the Water--Joint International Conference on Visual Studies of Society, U. of Amsterdam, The Netherlands, 21-24 June.
- "Popular Image and Self Articulation in Traditional Crafts: The Case of Maine Indians." Salt Conference on the Interaction of Folk Culture and Popular Culture: From Folk to Pop and Back Again, University of Southern Maine, Portland, 20 June.
- "Defusing the Canons: Theory as Political Issue in Action Anthropology," Faculty Colloquium, Dept. of Anthropology and Native American Studies Program, Dartmouth College, Hanover, NH, 2 Feb.

Northern Plains Indians & Northeastern & Maritime Indians, Lecture & Discussion, with Senator William Yellowtail (Crow Nation), 10/11, 10/17, 10/18, 10/25 [1989] ITV Channel 2. .

#### 1988

- "Amesokanti: Abortive Tribe Formation on the Colonial Frontier." Annual Conference of the American Society for Ethnohistory, Williamsburg, Va., 11 Nov.
- "Encounters: Script-centrism in Ethnohistory," lecture/panel discussion. International



Conference on The Land of Norumbega--Maine in the Age of Exploration and Settlement, sponsored by the National Endowment for the Humanities/Maine Humanities Council, Portland, 3 Dec.

#### 1987

- "Damned People in a Promised Land." Maine Humanities Council Conference: "AIDS: Plague, Panic, and the Test of Human Values," Augusta, 8 May.
- "Cornfields at Meductic; A Case Study in the Dynamics of Ethnohistory." 19th Algonquian Conference, Smithsonian Institution, Washington, D.C., 23-25 Oct.
- "Our Lives in Our Hands: Making A Documentary." Native North American Indian Film Series. Hudson Museum. Orono, Me., 19 Nov.
- "Maliseet Ethnohistory in Southern Quebec: A Comment," Quebec Ethnohistory Colloquium, Universite de Montreal, 21-22 Nov. (see: Recherches Amerindiennes au Quebec, vol. 18 (1), 1988: 85.

#### 1986

- "Our Lives in Our Hands." Introduction and follow-up discussion of Prins/Carter ethnographic film. 85th Annual Meeting of the American Anthropological Association, Philadelphia, 5 Dec.
- "A Forgotten Mission on the Micmac-Maliseet Frontier: Father Morain at 'Le Bon Pasteur,' in the late 17th Century." Annual Conference of the American Society for Ethnohistory, Charleston, S.C., 6-9 Nov.
- "Robin Hood of Kennebec: What's in an Indian Name in 17th Century Colonial America?" Symposium Peoples in Contact: Indians and Europeans in the Seventeenth Century, Haffenreffer Museum of Anthropology, Brown U., Providence, R.I., 26-27 Sept.
- "Visual Expressions in Wabanaki Culture: From Past to Present." Native Arts Symposium. Hudson Museum, Orono, Me., April.
- "Mohock the Tories: Political Symbolism at the Boston Tea Party in 1773." First Interdisciplinary Conference on New England Culture and History (1699-1830), University of Massachusetts, Boston, Ma., 12 April.

#### 1985

- "A New Perspective on Tribal Territoriality: The Case of Micmacs and Maliseets on the Lower St. Lawrence River." 17th Algonquian Conference, Redpath Museum, McGill University, Montreal, PQ, Canada, 24-27 Oct.
- "Norridgewock: Village Translocation on the Acadian Frontier" (co-authored by B. Bourque). Conference of New England Archaeology, Sturbridge, Ct., 23 March.
- International Conference on Reburial Issues. Invited discussant. Organized by the Society of American Archaeologists & the Society of Professional Archaeologists, D'Arcy McNickle Center for the History of the American Indian, Chicago, 14-15 June
- Media Makers Symposium, Invited discussant. Organized by the Museum of the American Indian/Heye Foundation. New York, 13 Dec.

#### 1983

- "The Anthropologist as Trickster; the Case of Micmacs in Maine and Wabanaki Tribal Territoriality." 15th Algonquian Conference, Harvard University, Cambridge, Ma., 28-31 Oct.

#### 1982

- "A Political Ecology of Machismo." 22nd Annual Conference of the Northeastern Anthropological Association, Princeton University, Princeton, NJ, 18-21 March.
- "Micmacs and the Quest for Micmac Recognition." First International Micmac Congress, Boston Indian Council. Boston, April.

#### 1978

- "Violence in History." Introductory remarks. International Symposium on Political Violence: From the Right of Resistance to Crime. University of Nijmegen, The Netherlands. April 1978. (Symposium organizer)



**CONSULTANCY REPORTS:**

- "The Penobscot Nation's Reservation of the Penobscot River Accompanying its Reservation Islands in the Penobscot River in the 1796 and 1818 Treaties with Massachusetts and in the 1820 Treaty with Maine." Prepared for the Penobscot Nation in *Penobscot Nation v. Mills*, et als., Civil Action No.1:12-cv-00254-GZS. (120 pages plus appendices), Dec. 2013.
- "158 Maine Wabanaki Indian Men & Women Enlisted in WWII [in support of L.D. 30, H.P. 25 [An Act To Establish Native American Veterans Day], Maine Legislature [volunteered], '09.
- "Asticou's Island Domain: A Historical Ecology of Acadia National Park." (500-pages) Report for National Parks Service (co-PI with B Mc.Bride), July '07. (see Publications)
- "Nijmegen Institute for Social Cultural Research: Research Assessment 2006. Nijmegen: Radboud University, December 2006 (44 p's; co-authored with J. Billet et. al.)
- "The Mi'kmaq of Ktaqamkuk: A Political Ecological Perspective on the Colonial History of Newfoundland, 1500-1750" (157 pages, plus bibliography). Report submitted to the Miawpukek First Nation and the Supreme Court of Newfoundland, September 2000.
- "The Ordeal of Disorder: The Aroostook Micmac Tribal Membership Problem." Bureau of Indian Affairs funded project report submitted to the Aroostook Band of Micmacs, Presque Isle, June 1999 (45 p's, plus appendices).
- "Miawpukek: Historical Anthropological Profile of a Newfoundland Indian Band." Aboriginal Rights Report Submitted to Provincial Court, Gander, Newfoundland, June 1988 (26 p's)
- "The Economic Value of Foregone Cultural Use: A Case Study of the Penobscot Nation" Co-authored with John Duffield, et.al. Washington DC, Bureau of Indian Affairs, US Dept. of the Interior/Penobscot Nation, 1999 (129 p's, plus appendices).  
<http://www.indecon.com/iecwweb/documents/Duffield,%20John,%20et.%20al.%20The%20Economic%20Value%20of%20Foregone%20Cultural%20Use-%20A%20Case%20Study%20of%20the%20Penobscot%20Nation.%20June%201999.pdf>
- "The Penobscot: A River and its Native People--An Ethnohistorical Perspective." Dioxin Contamination: Natural Resource Damage Assessment Report (22 p's). Deloitte & Touche/ Penobscot Nation, January '97.
- "Introduction to the Miawpukek Band of Mi'kmaq, Conne River, Newfoundland" (20 p's). *In* Miawpukek Mi'kamawey Mawi'omi Land Claims & Self-Government Submission. Conne River, Newfoundland, '96.
- "Mi'kmaq Territorial Claims in Newfoundland: Critical Review of Supporting Documents." Report for Miawpukek First Nation, Newfoundland, '96 (87 p's).
- "Micmac Kith and Kin: Ties that Bind in Maine & Notes based on Aroostook County's Criminal Dockets," for Aroostook Micmac Council/Pine Tree Legal Assistance, '89
- "Wabanaki Tribal Territoriality, A Review of Joint Use in the St. John River Valley," (38 pp) For Pine Tree Legal & Hobbs, Strauss, etc., Law Firm, Washington, D.C.
- "The Aroostook Micmac Band in Maine: An Ethnohistorical View," 225 pp. Document prepared for the Federal Acknowledgement Petition to U.S. Department of the Interior, by the Aroostook Micmac Council, for Pine Tree Legal Assistance, Inc., '86.
- "Notes on the Ethnohistory of the Saint George River Area." Report for the Maine Historic Preservation Commission, August '85.
- "Analysis of F.A.P. Criteria and the Aroostook Band of Micmacs," (with E. Nelson), Report for Pine Tree Legal Assistance, June '84 (49 p's).
- "A Chronology of Facts, for Ibid. (74 p's).
- "Micmac Aboriginal Title in Maine," (with E. Nelson), Report for Pine Tree Legal Assistance, February '85 (85 p's).
- "Genesis of the Micmac Community in Maine, and its Intricate Relationship to the Micmac Reserves in the Maritimes," (with B. McBride), Report for the Aroostook Micmac Council, Fall '83 (111 p's).
- "Micmac Redbook: A Resource Manual for Federal Recognition," (with B. McBride), Report for the Aroostook Micmac Council/Administration for Native Americans. US Dept. of



Health & Human Services, Washington, D.C., '82/'83.

### Consulting:

American Indian War Memorial, Omaha Beach, Normandy ('16-'17)  
 Maine Public Broadcasting Network, Television documentary *A Day to Remember* ('08). (Camera of segment & adviser). (7 minutes) Directed & produced by C. Sweet. first aired on Maine Public Television, 01/08/08. Won Emmy Award from New England Chapter of the National Television Academy, 31st New England Emmy Awards ceremony, Boston, May '08.  
<http://video.google.com/videoplay?docid=8145200814982449090>  
 Co-Guest curator, Smithsonian Exhibit Project *Alfred Métraux: From Fieldwork to Human Rights*. National Museum of Natural History, Washington DC. ['03-'07; project canceled]  
 National Park Service, Principal Investigator, Indigenous Natural Resources and Cultural History of Acadia National Park region, Mount Desert Island, Maine, '03-'07.  
 Environmental Protection Agency, US Dept. of Interior (Natural resources & clean water, Indian tribal lands in Maine, '04-'07)  
 Aroostook Band of Micmacs, Presque Isle, Maine (Heading Tribal Membership Review Task Force, '98-'99)  
 Listuguj First Nation, Restigouche, Quebec (Wabanaki Confederacy history) ('03)  
 Miawpukek First Nation, Conne River, Newfoundland, Canada (land claims research ('96-'01); aboriginal land, hunting & fishing rights ('99-'01).  
 Penobscot Indian Nation, Oldtown, Maine (cultural resources project/court case against big paper companies for river contamination ('96-'98)  
 Wabanaki Confederacy, Restigouche First Nation, Quebec, Canada (political history ('03).  
 Plains Apache Tribe. Anadarko (OK), Culture Preservation Project ('93-'95).  
 Aroostook Band of Micmacs, Presque Isle, Maine (federal recognition and land claims, successfully completed and settled ('81-'91).  
 Houlton Band of Maliseet Indians, Houlton, Me. Community development project advisor ('83).  
 Maine Indian Tribe-State Commission, Documentary film project ('89-'95)  
 New England Foundation for the Humanities, Boston, Ma. Advisor for Columbus Quincentennial programs ('89-'91).  
 Indian Law Project, Pine Tree Legal Assistance, Augusta, Me. Research scholar for the Micmac Federal Recognition Effort. '82-'91.  
 Department of Education, New York State, Albany. Project evaluator in development of a social studies resource guide: "Haudenosaunee: Past - Present - Future." '88.  
 Maine Arts Commission, Augusta, Me. Evaluated traditional arts projects '86-'90.  
 Administration for Native Americans, U.S. Dept. of Health and Human Services, Washington, D.C. Panel Chair and Reviewer of American Indian and Native Hawaiian Social and Economic Development Projects. '83-'89.  
 Maine Crafts Association & the Colby College Museum of Art, Waterville, Me. Exhibit consultant. "Maine Basketry Past and Present." '88-'90.  
 University of Maine, Augusta. Project consultant for Forum A Presentation, "Crow Indian Art in Transition." '89.  
 The Robert Abbe Museum of Stone Age Antiquities, Bar Harbor, Me. Exhibit consultant "An Island in Time: 3,000 years Culture History at Mt. Desert." '88-'89.  
 Maine Humanities Council. Project scholar and Steering Committee member. "The Land of Norumbega" conference, exhibit, and book. '87-'90.  
 American Friends Service Committee, Freeport, Me. Project scholar and consultant. Maine Indian Education Project, which developed "The Wabanaki Curriculum Guide" for schools and American Indian communities in Maine. '85-'88.  
 Fort Western Museum, Augusta, Me. Historical research, various projects. '82-'85.



**b: DOCUMENTARY FILMS/CD-ROM**

Peopling of Atlantic Canada (CD-ROM). Graham Reynolds & R. MacKinnen, '97  
 Naishan Dene: A Plains Apache Portrait (in co-production with Alonzo Chalepah, Apache  
 Tribe of Oklahoma, Anadarko, Ok. '93-present)  
 On the Barrens: Micmacs Blueberrying in Maine. ('87) (Research consultant/adviser).  
 Directed by Linda Ende, Produced by Maine Public Television, Lewiston, ME.  
 Prehistoric Petroglyphs in Northern New England (provisional title). Research consultant.  
 Produced by Mark Hedden for the Maine Historic Preservation Commission.  
 Mystic Images: Edward Curtis and Native Americans. Research consultant. Independent  
 production by Nicholas Rosza, New York (in production).

**PROFESSIONAL SERVICE****Board Member for:**

*Maine History Online*, National Board of Advisory Scholars, Maine Historical Society, '06-'09  
*Explorations in Media Ecology*, Editorial Board, '05-present  
*Visual Anthropology Review*, Editorial Board, '99-'04  
*Maine History*, Editorial Board, '92- present  
*American Anthropologist*, Editorial Board, '97-'02  
 Society for Visual Anthropology, Board of Directors, '95-'02  
 American Ethnic Studies, KSU, Governance Board, '91-'98  
 Latin American Studies, KSU, Governance Board, '91-'95  
 SALT Center for Documentary Field Studies, Portland, Me. Advisory Council, '92-  
 Abbe Museum for Stone Age Antiquities, Bar Harbor, Me., Advisory Committee, '98-  
 Dushkin Publ. Group, Advisory Board *Anthropology: The Annual Editions Series*, '92-

**Manuscript & Grant Reviewer for:**

Oxford U Press	[22 academic presses; 23 academic journals &c]
Blackwell Press,	Duke University Press
School of American Research Press;	De Gruyter
Smithsonian Institution Press	University of Nebraska Press
Queen's-McGill University Press	Harcourt Brace College Publishing
University of Oklahoma Press	Altamira Press
Berghahn Publishers	Wadsworth
University of Massachusetts Press	West Educational Publishing
Prentice Hall	Dushkin Publishers
Edinburgh University Press	Maine Historical Society Occasional Publications
University of Toronto Press	Northern Illinois University Press
	Mayfield Publishing Society

American AnthropologistEthnohistoryAmerican AntiquityCultural AnthropologyAmerican Indian QuarterlyLaw and Society ReviewVisual AnthropologyExplorations in Ethnic StudiesAcadiensis: Journal of the History of the Atlantic RegionNortheast AnthropologyAnthropologie et SociétésAnthropological Quarterly

National Science Foundation

National Park Service

Current AnthropologyAmerican EthnologistEthnos: Journal of AnthropologyAmerican Historical ReviewAmerican Indian Culture and Research JournalJournal of the Canadian Historical AssociationVisual Anthropology ReviewMaine Historical Society QuarterlyNative Studies ReviewThe Journal of Material CultureAustralian Journal of Human Rights

National Humanities Center

U.S. Dept. of the Interior;



US Dept. of Health & Human Services (Administration for Native Americans)  
 US Department of Justice (Environment & Natural Resources Division)  
 New York State Department of Education  
 Social Sciences and Humanities Research Council of Canada  
 The Wenner-Gren Foundation

## PROFESSIONAL MEMBERSHIPS

American Anthropological Association, '89- ; American Society for Ethnohistory, '88- ; Society for Visual Anthropology, '90- ; Society for Latin American Anthropology, '93- Northeast Historical Film, '89- ; Current Anthropology, Associate, '02- ; Native American Rights Fund, '97- ; Northeastern Anthropological Association, '82- '90; National Museum of the American Indian (Charter Member), '97; The Society for the Anthropology of Lowland South America (SALSA), '03- ; Maine Historical Society, '02- ; Media Ecology Association, '04- ; New York Academy of Sciences, '06- .

## ACADEMIC SERVICE

Wenner-Gren Foundation, Review Panel for Paul Fejos Post-Doctoral Fellowship in Ethnographic Film '14-'15; '15-'16; '16-'17.  
 President, University Distinguished Professor Group, K-State '10-'11 (Vice-Pres, '09-'10; Secretary, '08-'09). Promotion International academic evaluation team, Graduate Research School for Social and Cultural Studies (NISCO), Radboud University, Nijmegen, Netherlands ('06); Outside Reviewer Ethnography Curator National Museum of Natural History, Smithsonian ('04)  
 Outside Adviser New Archaeology Professorship at U Massachusetts-Amherst ('00),  
 Tenure & Promotion Outside Reference New York University ('06), U California-Los Angeles ('02), Vassar College ('03), U Lund (Sweden, '08), U Florida ('08), San Francisco State U ('03), Temple U ('96), U Vermont ('99, '04, '08), U-Maine ('09, '10); Expert Full Professorship Promotion, Faculty of Social Sciences, Lund U, Sweden, '08; History Dept, York U ('14); African Studies & Anthropology, U Michigan ('14); Anthropology, Indiana U ('14)..  
 SVA Program Director AAA annual mtgs, San Francisco ('96), SVA Nominations C'ttee ('09-'02); K-State : Marshall Committee ('97-'00); SASW Faculty Evaluation Committees (regularly), SASW Head Search Committee ('02-'03); KSU Anthropology Program Coordinator ('08-'09);  
 Chair Anthropology Search Committees KSU ('03-'04; '05-'06, '09), University Distinguished Professor Selection Committee ('06-'07); Presidential Award for Outstanding Teaching selection committee ('06), Coffman Chair for University Distinguished Teaching Scholars review committee ('06); Member, Dean of College of Arts & Sciences Search Committee ('10-'11); Member, UDP Focus Group for K-State 2025, appointed by Pres. Schulz (July 2010); Member, Dept Head Review Advisory Committee, Dean's Office Arts & Sciences; Member, K-State's Honorary Degree committee ('11); External Referee, Full Professor Promotions at U Michigan-Ann Arbor, Indiana U-Bloomington, York U, Canada, etc.

### ***Doctoral Committee Memberships*** (K-State & Other Universities):

U Sidney, Australia (1); Temple U (2), KSU History (9); KSU Sociology (2); KSU Human Ecology (2), KSU Education (1), KSU Agr. Economics (1), etc..

## LANGUAGE SKILLS

Dutch, English, German, Spanish, French, and a reading & speaking smattering of others

## MAJOR NEWSMEDIA-PROFILES

"Trieste indianenverhalen: Nederlandse antropoloog verdedigt de belangen van ontheemde stam."  
 By Stéphane Alonso Casale. *NRC-Handelsblad*, The Netherlands 08/14/1999, p.27. &c.



## ON-CAMERA EXPERT DOCUMENTARY FILM INTERVIEWS

*“Characteristics of Culture* (30 mins); *Social Identity* (30 mins); *Religion and Spirituality* (30 mins).  
 Telecourse: *“Cultural Anthropology: Our Diverse World.”* Produced by Coast Learning Systems, California, ‘08.  
*“The Future of Visual Anthropology.* Dir. Martin Gruber. Hamburg, Germany: Gruberfilm. ‘07  
 premiered at 27<sup>th</sup> Annual Conference in Visual Anthropology, Trondheim, Norway), &c  
*“Conquest of the Northeast: “Mutiny! Henry Hudson’s Voyages of Discovery.”* (Lone Wolf Documentary Group). The History Channel ‘05.  
*“The History of Fort Western on the Kennebec.”* Augusta: Ft. Western Museum, ‘86.

## FILM REVIEWS AND SCREENINGS

***Our Lives in Our Hands*** (‘85). Reviewed (very favorably) in American Anthropologist vol. 90, no. 1 (March ‘88), pp. 234-5; Journal of American Folklore vol.107 (1994), pp.320-21; The Maine Times (‘86); Maine in Print, Vol. IX, no.9 (Oct. ‘94): 8. Premiered at the American Indian Film Festival, American Museum of Natural History, New York, NY, Dec. ‘85. Other showings include: Film Festival of the Society for Visual Anthropology in Santa Fe (‘86) Ethnographic Film Series of the Smithsonian Festival of American Folklife (‘87); WCBB Public Television (‘86); Maine Public Broadcasting Network (‘87); Annual Meeting of the American Anthropological Association in Philadelphia (‘86); Barbara Meyerhoff Film Festival in Los Angeles (‘87); Twelfth Annual American Indian Film Festival in San Francisco (‘87); International Conference on Visual Studies of Society, Amsterdam (‘89); "Film, Food & the Future," a series co-sponsored by Cultural Survival, Earthwatch and Documentary Educational Resources, Watertown, Ma. (‘90); American Anthropological Association Annual Meeting, San Francisco (‘92); University of Pennsylvania Museum (‘93), &c.

***Oh, What a Blow that Phantom Gave Me!*** (‘03). Premiered at the Northeastern Anthropological Association (Fleming Museum, U Vermont). Reviewed favorably in Visual Anthropology Review Vol.22, No.2 (2006), pp.77-78. Selected screenings at the Taiwan International Ethnographic Film Festival, Institute of Ethnology, Academia Sinica, Taipei (‘03); 8<sup>th</sup> Royal Anthropological Institute International Ethnographic Film Festival, UK (‘03); 14<sup>th</sup> Beeld voor Beeld Film Festival, Royal Institute for the Tropics Museum, Amsterdam, Netherlands (‘03); 4<sup>th</sup> Media Ecology Association Conference, U Hofstra, NY (‘03); Annual Meetings of the American Anthropological Association, Chicago (‘03); 7<sup>th</sup> Documentary and Ethnographic Film Festival of Belo Horizonte, Brazil (‘03); Institut für den Wissenschaftliche Film, Göttingen, Germany (‘04), Ethnographic Film Festival of Montréal (‘05), School of Oriental and African Studies, University of London (‘05), Bauhaus-Universität, Weimar, Germany (‘10), The Menil Museum, Houston (‘11), &c.

## MISCELLANEOUS

### Interviews: Print Media

National Geographic; Frankfurter Allgemeine [Germany]; The Christian Science Monitor; La Opinion de Trenque Lauquen [Argentina]; NRC-Handelsblad [Netherlands]; Appalachia; Ultima Hora [Paraguay]; New York Sun; Maine Times; ABC Color [Paraguay]; Portland Press Herald; FACTA: Tijdschrift voor Sociale Wetenschappen [Netherlands]; Kennebec Journal; Algemeen Dagblad [Netherlands]; Kansas City Star; The Maine Progressive; Presque Isle Herald; Micmac-Maliseet Nation News [Canada]; Manhattan Mercury; Kansas State Collegian; St. Joseph’s News-Express; Topeka-Capital Journal; Down East Magazine; Nieuwsblad van het Noorden [Netherlands]; Credits: Kwartaalblad reclame, design, fotografie en nieuwsmidia [Netherlands]; Maine Sunday Telegram, Bangor Daily News; The Big Issue [Namibia], &c.

### Interviews: Broadcast Media

CBC [Canada]; NBC [Kansas]; Maine Public Television; Kansas Public Radio; Maine Public Radio; KKSU, etc., etc.



**Photographs & Drawings**

Boston Globe Sunday Magazine; Indian Country Today; Hot Spots, Cultural Anthropology; Christian Science Monitor; Detroit Free Press; Dallas Morning News; Houston Chronicle; Kansas City Star; Down East Magazine; Kennebec Proprietor (Fort Western Museum magazine); Portland Magazine, etc.

**Book Publisher & Film Distributor Blurbs**

SUNY Press '12 (*Conversations with Remarkable Native Americans*);  
Bullfrog Films '10 (*We Still Live Here; Ás Nutayuneán*); '00 (*Coming to Light*);  
Cambridge U Press '08 (*Transatlantic Encounters*);  
Duke U Press '08 (*Global Indigenous Media*);  
U Oklahoma Press '09 (*Native People of Southern New England*);  
Blackwell Publishers '04 (*The Anthropology of Media*);  
Altamira Press '04 (*Visual Anthropology*);



## **Exhibit 2**



## SUMMARY OF OPINIONS

Below is a summary of the opinions I am prepared to give in the matter of *Penobscot Nation v. Mills*. The facts and data supporting them are set forth in the body of the Report and in the footnotes. This is meant only as a synopsis with some non-exhaustive examples of the supporting material and reasoning more fully delineated in the Report.

**1. As of the 1796, 1818, and 1820 Treaties, the Penobscot Indians did not distinguish between their occupation and use of their islands in the Penobscot River and their occupation and use of the River surrounding those islands.**

In the 1700s and 1800s, the Penobscot tribe consisted of about two dozen related indigenous families, linked together by ties of kinship. They shifted periodically between several main villages and numerous small temporary encampments widely scattered on islands and on both banks of their river, as well as beyond. Collectively, the Penobscot formed a large social network consisting of three core settlements and dozens of small camp sites situated on the east and west river banks and on a number of islands strung like wampum beads in a necklace along the main stem of the Penobscot River that provided them with almost everything they needed to survive. Penobscot Indian villages and smaller camps were almost always situated at a site with easy access to the river and its resources, in particular fish. Because the Penobscot River provided an abundance of fish, which was not only easily caught, but also easy to smoke and preserve, fish was a staple food. Having developed a predominantly river-based culture, as detailed in Part I of this Report, Penobscot Indian communities occupied seasonal encampments or established more permanent settlements with nearby canoe-landings on river islands or river banks. For instance, their major village, established on Indian Island (Panawamskeag), is located immediately above the Old Town Falls where they used to spear or net fish (salmon, shad, and alewives) during spring and early summer. Another village, Passadumkeag (also known as New Town), used to exist upriver on Thorofare Island near a major fish weir where they trapped fish (especially eel) primarily in the late summer and fall. Their northernmost village, Matawamkeag, sat on the Penobscot River's east bank at the confluence with the Matawamkeag, a major tributary. Nearby, Penobscots maintained a very large fish weir, primarily to catch eel. These strategically selected sites provided them easy access to fishing grounds at river falls, rapids, gravel bars, rocks, ledges, and other favored places where they speared, netted, or trapped eel, sturgeon, salmon, trout, shad, alewives, and other fish. Dependent on their canoes as a means of transport, they also hunted moose, deer, and other game animals swimming or wading in the water or walking or grazing or browsing near the river shore. In addition, they used bark canoes to shoot or trap muskrat, beaver, and otter, primarily valued for their thick fur. Moreover, they paddled or poled their canoes when hunting water birds, primarily duck and geese. Last but not least, they used canoes in search of edible plants, nuts, berries, as well as herbal medicines. In short, their traditional way of life before, during, and after the treaty period in question, depended on the



waters of the Penobscot River surrounding their string of islands, from bank to bank. In addition to traveling to their fishing sites, trap lines, and other locations in search of food and other vitally-important natural resources, they fished and hunted from their canoes, both by day and by night (using burning torches to attract fish). They also built fish weirs, some of which were very large, some nearly spanning the river from bank to bank. Primarily dependent on fishing, hunting, and food gathering (as well as some food gardening, fertilizing the soil with fish), they pursued a highly mobile way of life, with communities periodically splitting into family groups, each to its own district known as *nzibum*, meaning “my river.” During the winter, when their rivers and lakes were frozen, Penobscots traveled on ice, up or down river, to and between islands, pulling their belongings (as well as fish, meat, furs and hides) on toboggans (sleds). While on the ice, Penobscots engaged in ice fishing as well as hunting game. Last but not least, as extensively described in this report, the Penobscot river has great spiritual significance as it features in their creation myths and is linked to many water-based family totem animals, including fish. Canoeing up or down the Penobscot River, whether for purposes of fishing, hunting, and trapping, or visiting relatives between Old Town Falls and the Forks (and beyond), Penobscots passed a sanctuary, a spiritually-powerful site in the form of a large granite rock situated in the river just south of Mattawamkeag. This peculiar rock with a deep cavity near the top was used as a deposit for ritual gifts to appease a powerful storm spirit dwelling in Mount Katahdin and in hope for an abundance of fish and game, but also plenty of hides and pelts. Confronted with white surveyors entering their domain above the head of the tide before the 1796 treaty, Penobscots explicitly claimed the river had always belonged to them and that they had it from the Creator. In short, culturally-adapted to the seasonal rhythm of their riverine ecological system, the Penobscot tribe has historically survived on the basis of an inextricable linkage between land and water in their island domain. Without the water surrounding their islands, Penobscot survival was in peril, as also articulated in their creation myth about Anglebému (“Guards the water”), the giant frog who had gulped up all the water in the Penobscot River. This monster was killed by Gluskábe, their ‘culture hero’ who thus released the water and rescued his “grandchildren” settled “up the river.” In conclusion, the idea that Penobscots could survive by isolating the islands from the water surrounding each of them makes no sense from a cultural ecological, historical and ethnographic perspective.

**2. The Commonwealth of Massachusetts entered into the 1796 or 1818 treaties understanding that it was extinguishing the Penobscot Nation’s “Indian title” (also known as “aboriginal title”).**

As explained in Parts II-IV of this Report, at the time of the 1796 and 1818 treaties, the Penobscot Tribe had exclusive occupation and use the Penobscot River above the head of the tides (about 5 miles north of Bangor), including the River itself, bank to bank, all islands in it, and the uplands on both sides of the River extending at least six miles back from the River on each side, and Massachusetts recognized this as the exclusive domain of the Tribe, held as “Indian title” (or “aboriginal title”) which could only be extinguished through treaty-making. This is well documented by the



early surveyors, Captain Joseph Chadwick (in 1764) and Captain Park Holland (in 1793), who separately recorded the tribe's firm stance (and their respect for it) that they were in the tribe's domain. While two Commonwealth attorneys, James Sullivan and Thomas Dawes, entertained the notion that the tribe's aboriginal title had been extinguished as a consequence of military confrontations between the British and the Tribe (and they with instructed a treaty agent, Daniel Little, to try to assert such a position to tribal leaders), this "conquest" theory was not based in historic fact and, ultimately, was dropped as an argument, in favor of extinguishing Indian title by means of a purchase by mutual agreement in a treaty. Asserting that they held their lands from the Creator since time out of mind, Penobscot tribal chiefs walked away from treaty discussions when the notion of having been conquered was suggested, and ultimately, General Knox, one of the largest proprietors in Maine (owner of the Waldo Patent), and a land speculator, as the US Secretary of War in charge of Indian Affairs, as well as other influential Commonwealth officials involved in the drive to consummate the 1796, rejected the conquest theory in favor of title extinguishment by treaty. Land speculators such as Knox, but also foreign bankers like Alexander Baring (the future Lord Ashburton) were interested in extinguishing Indian title from a legal and financial point of view, rather than from a human rights perspective. Familiar with the speculative value of lands increasing once Penobscot Indian title was extinguished in 1796 Treaty, Baring wrote: "the Penobscot Indians and it was finally agreed that this strip of valuable land should not be encroached upon but remain their hunting ground. The tribe resided at Indian Town, about 200 families, became Roman Catholics, lived quietly and crept insensibly into a state of civilization from the vicinity of European settlements. This is sure ruin to the Indians. They fell off, decreased in numbers.... The state has consequently appointed commissioners to treat with them, the result of which is not yet known, but they will certainly agree. The lands will afterwards be sold by the state in townships and we shall pick out some that will be of great service to our lands behind them. The attention of all New England speculators is fixed on these lands and they will sell very high. We can afford to give more than any body and the remainder selling high must give additional value to our lands. I reckon our back tract [northeastern Maine] worth twice as much when the Indians are removed than before..." Regarding the fundamentals, nothing changed in this regard when it came to the 1818 treaty.

**3. The Penobscot Nation entered into the 1796 or 1818 treaties with the understanding that it was giving up its rights of occupancy and use to the lands, not with the understanding that it was being given lands or rights by Massachusetts.**

As explained in Part IV, Penobscot leaders engaged in the treaties of 1796 and 1818 did not speak English, and translations were not always accurate, but they clearly did not make their marks upon those treaties with an understanding that they were being given lands or rights from Massachusetts. On the contrary, they zealously claimed dominion over the subject matter of the treaties and understood that they were relinquishing their rights only with respect to the lands above the shores. There was nothing in the area under consideration to be granted from Massachusetts to the



Penobscots. Tribal leaders would never have thought otherwise, and as described in the Report, the most influential Massachusetts representatives never thought otherwise.

**4. Upon entering into the treaties of 1796 and 1818, Massachusetts did not intend to extinguish the Penobscot Nation's occupation and use of the waters of the Penobscot River surrounding islands in the River from Indian Island northward.**

As explained in Parts IV and V, the Commonwealth's treaty efforts focused upon securing the land on either side of the Penobscot River for settlement (and eventually timber extraction), not the River itself. The River was left to the Penobscot tribe to occupy and use to sustain itself in its way of life attending its settlements on the islands from Old Town falls, northward. James Sullivan, at the time of the 1796 Treaty was Massachusetts Attorney General. He was quite familiar with the Penobscot Indian "way of life" at the time, and explicitly referred to their dependence on the fisheries on their river, observing: "what those people acquire by the labour of their women in the summer [growing crops], and by the hunting done by the men, lays up but very scanty provision for their long and cold winters. The sturgeon, the salmon, and the great fish, the men will condescend to take, but they feel themselves above the taking of small fish: the catching of shad and alewives they make the business of their women and children. The alewives taken, and some of the salmon, they preserve by hanging them in the smoke." This understanding on the Commonwealth's part is well-confirmed by the February 27, 1812 Resolve of the Commonwealth to re-secure the Tribe's fishing grounds attending its village at Indian island and Old Town falls. This shows that the Commonwealth understood that, as a result of the 1796 Treaty, the Tribe retained these fishing grounds, made up of bars, rocks, ledges and "small islands" even though they were not the identified "islands" in that Treaty. Nothing changed from Commonwealth's perspective with it consummated the 1818 Treaty. In fact, the Commonwealth saw fit in that Treaty to establish the right of its citizens to pass and repass the River to ensure that the Tribe would allow them to use it as a public highway for floating logs and boats that could navigate the shallows. The Commonwealth knew that the Penobscot Tribe depended upon its continuing occupation and use of the River to sustain its village establishments on the islands and, in fact, protected the Tribe's continued right to occupy and use the River fishery.

**5. Upon entering into the treaties of 1796 and 1818, the Penobscot Nation did not intend to give up its rights of occupancy and use of waters surrounding islands in the Penobscot River from Indian Island northward.**

Given the Penobscots' way of life described in Part I of the Report, it is inconceivable that the Tribe would ever intend to give up its occupancy and use of the waters surrounding its island villages and family camps from Old Town falls northward in the treaties 1796 and 1818. Indeed, after having failed to convince the old Penobscot Chief Joseph Orono to sign a treaty in 1784, General Knox reported



that Orono's response had been: "The Almighty placed us on the land and it is ours. . . . Orono continued his speech asking Massachusetts [government] to fix the bounds of the Penobscots' land to prevent the new inhabitants from interfering 'with us.' He declared that his people did not sell any land 'to our knowledge, and never will while we live.'" In 1788, in another failed effort to convince the Penobscots to agree to a treaty based on unacceptable terms, the Penobscot chief spokesman, a war chief identified as Colonel Orsong Neptune (the father of Lt. Governor John Neptune), informed the Massachusetts Commissioner, through an interpreter: 'Brother, God put us here. It was not King of France or King George. We mean to stay on this Island. The great God put us here; and we have been on this Island 500 years. ...From this land we make our living.'" A year later, one of the most powerful and influential political figures in the USA in the post-revolutionary period, Knox reconsidered the concepts of "Indian title" and claims of possession based on the "right of conquest." In his capacity as U.S. Secretary of War (and in charge of Indian Affairs) in 1789, Knox wrote: "The Indians, being the prior occupants, possess the right to the soil. It cannot be taken from them except by their consent, or by rights of conquest in case of a just war. To dispossess them on any other principle would be a great violation of the fundamental laws of nature." In 1793, three years before the 1796 treaty, Captain Park Holland ventured upriver into Penobscot Indian territory above Old Town Falls for a survey. He was met with hostility as an intruder. Obviously, in defense of their homeland, Penobscots were willing to expel or even kill uninvited American whites. He reported in his field journal: "They gave us to understand... that the river was their river, and that they did not wish any white man to go up." Proceeding upriver, he arrived in Mattawamkeag, where "found another large Indian town, full of inhabitants, who forbade our proceeding any further. They came out to us, and gave us to understand they wished to make a strong talk, the amount of which was, that the river was their own river, and they did not want any whites to go up, for bye and bye the white man would come and buy a little of their land, then a little more, and the further the white men go up, the further the beaver and moose would go, and bye and bye the poor Indian would have no land and no moose meat. Many of these old men, I found to be afterwards, men of sound sense, strict integrity, and good judgement. We satisfied them that we did not come to buy their land, or to injure them, and proceeded on our way...." Captain Holland's 1793 account depicts not only the Penobscot's vigorous defense of their ancestral domain, but the ready acceptance of that tribe's claim of exclusive use and possession by these prominent agents of a foreign government. The five arduous trips made to Boston by Penobscot delegates between 1797 and 1812, described in Part V of the Report, aptly show, for example, that the Tribe considered its ancient connection to the River attending its island village of "Old Town" to be left entirely intact by the 1796 Treaty. In the early 19<sup>th</sup> century, soon after James Sullivan took office as governor of Massachusetts, Penobscot Chief Attian Elmut headed to Boston with a tribal delegation to request protection of their fishing privileges near their head village at Indian Island. The language used by the Chief, even as roughly translated, reveals the Penobscots' understanding of their retained fishery in the Penobscot River. (Indeed, years later, Neptune recounted that he "went to Boston and saw Governor Sullivan and told him about *our fishing ground*.")) The Penobscot Chief referred to his own people as the



“proprietors of all the Islands both great and small on [the] Penobscot River,” and explained that “our Islands and especially Shad Island ... has been the greatest support to our Ancestors.” Echoing those of past Penobscot leaders describing the Tribe’s understanding of its relationship to the River, a note taker at the time wrote that Chief Attian proclaimed in 1807 that “the God of Nature gave them their fishery, and no man without their consent has a right to take it from them.” The old chief became utterly desperate by his own inability to obtain recourse: “Oppressed with anxiety and care for his people, and perplexed with the business on hand, he fell into a state of derangement, and stabbed himself, in Boston, so badly that he soon died.... an event much lamented.”

Nothing changed with the 1818 Treaty. The Tribe continued to occupy and use the River to support its way of life unquestioned.

**6. Massachusetts and the Penobscot Nation understood that by reserving the islands in the Penobscot River from Indian Island northward in the 1796 and 1818 Treaties, the Penobscot Nation reserved its occupancy and use of the waters of the Penobscot River surrounding those islands.**

This is established by the synopses above and in Parts I-VI of the Report. It was understood by the Tribe and by Massachusetts that with the islands, the Tribe retained its continued occupancy and use of the Penobscot River between the islands and from shore to shore to sustain the Penobscot way of life described in Part I of the Report. Because of this symbiosis in their riverine habitat, a severance between their use and occupation of the islands and their use and occupation of the River was inconceivable and would have reduced them to starvation, dooming their chances for survival. Their mode of subsistence and material culture, their social organization and family totems, as well as mythological worldview, all continued through the treaty period in question. When those treaties were finally executed in 1796 and 1818, all parties were well aware of how and why the Penobscot people were culturally and historically embedded in their river habitat. As the nineteenth century progressed past 1818, non-Indians would encroach upon the River from their developments on the shores, including their sawmills and timber drives, but tribal members would continue to occupy and use the River in all of the ways described in Part I; and there was no assumption that the Treaties would deprive them of doing so in accordance with their ancient traditions.

**7. In entering into the 1820 Treaty with the Penobscot Nation Maine and the Penobscot Nation understood that Maine was acceding to the 1818 Treaty, with the exception of the Tribe’s retention of land and services of an agent in Brewer.**

As fully described in Part VII, when Maine separated from Massachusetts in 1820, it took over the 1818 Treaty between the Commonwealth and the Tribe. Nothing changed other than the elimination of a small parcel of tribal land and related agent services in Brewer. The intent and understanding on the part of Maine and the Tribe



was that everything agreed to in the 1818 treaty carried over and was confirmed in the 1820 treaty with Maine.

**8. Maine and the Penobscot Nation understood that following the 1820 treaty, the Penobscot Nation reserved its occupancy and use of the waters of the Penobscot River surrounding those islands.**

As described in Parts VII and VIII of the Report, Maine officials understood and accepted that the Penobscot tribe retained its occupation and use of the Penobscot River. There are numerous reports describing the importance of the fisheries at Old Town Falls, a few hundred yards below their head village at Panawamskeag (“Indian Island”), but also upriver. In addition to dependence of the fisheries, they also continued to hunt and trap, and canoed up and down the river where they established seasonal encampments on the river banks and islands. In the summer of 1820, when Penobscot tribal chief, Lt. Governor John Neptune visited the Governor of the newly-established State of Maine in Portland, he complains that “the white people take the fish in the river so they do not get up to us. They take them with weirs; they take them with dip-net. They are all gone before they get to us. The Indians get none. If you can stop them so that we can get fish, too, we shall be very glad. There is another thing — our hunting privilege. The white men come and spoil all the game. They catch all the young ones and the old ones. We take the old ones and leave the young ones till they grow bigger and are worth more. We wish the white men to be stopped from hunting. . . . We wish your Government to stop the white men from hunting — put their traps in their chests. Let white men have the timber and the Indians have the game weirs had been set up in their river which had obstructed the fish and injured their means of support.”

The linkage between the river and the nearly 150 islands reserved by the Penobscots is so self-evident that the 1820 treaty, confirming that the State of Maine simply stepped into the shoes of Massachusetts with respect to the 1818 treaty terms, does not even mention the islands. During the treaty ceremony in Bangor, prior to the actual signing of the document, Captain Francis Lolar spoke on behalf of the Penobscot tribal council. Addressing Colonel Lewis, the treaty commissioner representing the State of Maine, he said: *Brother*.—The Good Spirit who made and placed the red men here, before white men came, gave us all the land from whence the waters run into the Penobscot. He caused the forests to abound with game, and the rivers with fish, for our use and subsistence- we then were contented and happy. When the white men came over the great waters to our country, we received them as friends and brothers: we then were many and strong: they few and weak: we gave them land, and permitted them to live peaceably among us, and have remained their friends. The white men are now very strong; we are weak, and now want them to be our friends. *Brother*.—We place the greatest confidence in the Governor, Chiefs, and people of the State of Maine, and are willing to put ourselves under their care and protection, helping, and expecting they will perform all their promises to us as faithfully as our good friends the governor, Chiefs, and People of Massachusetts have done.” In his response, Colonel Lewis confirmed the state’s intent to stand in shoes of Massachusetts concerning the specific understandings provided by the Treaty of



1818: “It being meant and intended, to assume and perform, all the duties and obligations of the commonwealth of Massachusetts, toward the said Indians, whether the same arises from treaties or otherwise.... So that said tribe may have continued to them, all the payments and enjoy all the immunities and privileges....” After the 1820 treaty, a Penobscot chief guided two surveyors, one of whom was Major Treat. Having witnessed the treaty ceremony in Bangor, Treat was personally familiar with the importance of the Penobscot Indian fisheries on the Shad Islands at Old Town Falls. Traveling by canoe upriver, with Neptune (one of the signers of the 1818 and 1820 treaties), Treat kept a journal and sketched maps of the river, marking numerous wigwam sites, place names, as well as several large fish weirs in the river. There are numerous Indian agent reports, newspaper accounts, and early ethnographic descriptions underscoring the continued importance of the river in the Penobscot way of life, well into the 20<sup>th</sup> century. In his 1822 *Report to the Secretary of War on Indian Affairs*, published two years later, Dr. Morse observed: “The Penobscots, in government and internal regulations, are independent- The legislative and executive authorities are vested in the sachems; though the heads of all the families are invited to be present at their public meetings, which are held in their house of worship, and conducted with order and decorum.... The tribe has the right to hunt and fish along the banks of the river, to the mouth of Penobscot Bay.” Among his major sources of information regarding the Penobscots was the Bangor-based attorney and politician Williamson, the second Governor of the State of Maine and its major 19<sup>th</sup>-century historian.

Three years after the 1820 treaty, Maine government officials traveled to the Penobscot reservation, reporting Penobscot families encamped on ten islands in the main stem of the river above the falls. A generation later, in 1842, two decades after the final treaty, the Indian agent reported 31 Penobscot families encamped on nine islands. Notwithstanding complaints about diminishing fish supplies due to fisheries below the falls, and dams, or ongoing disputes with local whites, Penobscots continued to spear and net fish at the Old Town Falls just downriver from their head village. Although more remote and less reported on, the same is true for Penobscots residing at Mattanawcook Island and other upriver island communities. They also continued to hunt and muskrat, beaver, and other fur-bearing animals along their river. In various degrees, families continued to depend for their food on fish and game harvest on their islands upriver. Penobscot families retained much of their indigenous way of life as described in the first section of this report until well into the 19<sup>th</sup> century. Whether the water on their river was low, high, or frozen, they camped on--or traveled between-- the many dozens of islands on their tribal reservation above Old Town Falls. Even in recent decades, several Penobscot families still frequent islands upriver for purposes of fishing, hunting, and trapping.